U.S. Department of the Interior
Bureau of Land Management
White River Field Office
73544 Hwy 64
Meeker, CO 81641

ENVIRONMENTAL ASSESSMENT

NUMBER: CO-110-2006-090-EA

CASEFILE/PROJECT NUMBER amend COC54895

PROJECT NAME: Rio Mesa access road

LEGAL DESCRIPTION: Sixth Principal Meridian
T.2N., R.101W.,
sec. 30, SE¼SW¼,
sec. 31, lots 1, 8, 9.
T.2N., R.102W.,
sec. 36, lots 4, 6, 10, N½N½.

APPLICANT: Rio Mesa Resources

ISSUES AND CONCERNS

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Background/Introduction: Rio Mesa holds adjacent leases on BLM and private lands. This access is to fee/fee wells. The BLM lease is held by other wells, and they do not plan to submit additional APDs for it at this time.

Proposed Action: Rio Mesa requests a right-of-way for an access road to private O&G lease land. They have producing wells on the south side of the White River, but need access to develop the area on the north side of the river. The majority of the route will follow an existing route from RBC Rd 46 which was authorized to Ace West Trucking as COC 59934 in 1997. The final segment, approximately 900 feet, will follow an existing 2-track road to the private property, as shown on Exhibit A.

The existing access road will not need any upgrading. The 2-track is currently used by locals to access the point on private land. Rio Mesa proposes to improve this segment by blading it with their motor- grader. The route traverses a sagebrush ridge which slopes away from the roadway on both sides. There are no drainage crossings. If Rio Mesa's well goes into production, they would like to be able to add gravel to the roadway. Maintenance would be by grading only. Rio Mesa does not have plans for a pipeline along this route.

They request a term of 30 years. The developed route will be approximately 10049 feet, plus the new 900 feet; for a total of 10948 feet. Newly disturbed area will be 0.62 acres. The width of the entire proposed action will be 30 feet, for a total area of 7.54 acres.

No Action Alternative: The access would not be authorized and would not be constructed.

ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD: None

NEED FOR THE ACTION: Rio Mesa holds a private lease that spans the White River. They need this access to develop the northern part of the parcel.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Page: Pages 2-49 thru 2-52

Decision Language: "To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values."

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

STANDARDS FOR PUBLIC LAND HEALTH: In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, threatened and endangered species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. Because a standard exists for these five categories, a finding must be made for each of them in an environmental analysis. These findings are located in specific elements listed below:

CRITICAL ELEMENTS

AIR QUALITY

Affected Environment: The entire White River Resource area has been classified as either attainment or unclassified for all pollutants, and most of the area has been designated prevention

of significant deterioration (PSD) class II. The proposed action is not located within a ten mile radius of any special designation air sheds or non-attainment areas. The air quality criteria pollutant likely to be most affected by the proposed actions is the level of inhalable particulate matter, specifically particles ten microns or less in diameter (PM_{10}) associated with fugitive dust. In addition, slight increases in the following criteria pollutants: carbon monoxide, ozone (secondary pollutant), nitrogen dioxide, and sulfur dioxide may also occur during construction due to the combustion of fossil fuels associated with construction operations. Also, non-criteria pollutants such as visibility, nitric oxide, air toxics (e.g. benzene) and total suspended particulates (TSP) may also experience slight short term increases as a result of the proposed actions (no national ambient air quality standards have been set for non-criteria pollutants). Unfortunately, no air quality monitoring data is available for the survey area. However, it is apparent that current air quality near the proposed location is good because only one location on the western slope (Grand Junction, CO) is monitoring for criteria pollutants other than $PM_{10.}$ Furthermore, the Colorado Air Pollution Control Division (APCD) estimates the maximum PM_{10} levels (24-hour average) in rural portions of western Colorado like the Piceance Basin to be near 50 micrograms per cubic meter ($\mu g/m^3$). This estimate is well below the National Ambient Air Quality Standard (NAAQS) for PM_{10} (24-hour average) of 150 $\mu g/m^3$.

Environmental Consequences of the Proposed Action: Reductions in vegetal cover resulting from construction activities will leave soils temporarily exposed to eolian processes. During dry and windy periods, air quality may be compromised due to increased levels of fugitive dust originating from exposed surfaces. The proposed action alone should not greatly compromise National Ambient Air Quality Standards (NAAQS) on an hourly or daily basis. Exhaust produced from heavy equipment associated with the road construction combined with the increasing number of fluid mining activities north of Rangely, CO may have cumulative impacts detrimental to local air quality.

Environmental Consequences of the No Action Alternative: None

Mitigation: The operator will be responsible for complying with all local, state, and federal air quality regulations as well as providing documentation to the BLM that they have done so. To minimize production of fugitive particulate matter, vehicle speeds must not exceed 15 mph *or* dust plume must not be visible at appropriate designated speeds for road design. In addition, the application of a BLM approved dust suppressant (e.g. water or chemical stabilization methods) will be required during dry periods when dust plumes are visible at speeds less than or equal to 15 mph. As stated in the White River RMP/ROD all activity shall cease when soils or road surfaces become saturated to a depth of there inches unless otherwise approved by the Authorized Officer (BLM, 1997). In addition, there shall be no mud blading of roads (BLM, 1997). Construction/maintenance of roadways per "Gold Book" (fourth edition) standards and surfacing the roadway with gravel will help mitigate soil erosion and effectively reduce production of fugitive particulate matter.

CULTURAL RESOURCES

Affected Environment: The proposed new access road route has been inventoried at the Class III (100% pedestrian) level (Conner and Davenport 2006, Compliance Dated 4/10/2006) with no cultural resources identified in the road route.

Environmental Consequences of the Proposed Action: The proposed action will not impact any known cultural resources.

Environmental Consequences of the No Action Alternative: There would be no new impacts to cultural resources under the No Action Alternative.

Mitigation: 1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

INVASIVE, NON-NATIVE SPECIES

Affected Environment: The proposed action is located within Loamy Saltdesert ecological site, which is dominated by salt tolerant vegetation. The dominate plant community for these sites consist of Wyoming big sagebrush and various saltbrushes such as shadscale and

gardner saltbrush. The understory of these shrubs is dominated by western wheatgrass, salina wildrye, and squirreltail. Cheatgrass and halogeton are both annual plant species that are undesirable, invasive, and non-native plants which are present within the locality of the proposed action. Both of these species are highly adapted to disturbed soils. Russian knapweed (Colorado listed noxious weed) is located within the vicinity of the proposed action along the terrace of the White River.

Drought conditions, except spring of 2005, have been very prevalent within the Coal Oil Basin area, which has hampered the successful establishment of reclaimed plant species of other projects in this area. Therefore, undesirable and invasive annual plant species (i.e. halogeton, cheatgrass) have become dominate in portions of previously disturbed areas which provide little resource value and hinder efforts to meet Public Land Health Standards.

Environmental Consequences of the Proposed Action: The proposed action will not intersect any known infestation of noxious weeds. There is an opportunity for cheatgrass to become further established along the disturbance associated with the access road.

Most Weed species found in the area are effectively controlled by establishment of seeded species within disturbed areas. The proposed seed mix (see vegetation section) from the RMP (Standard Seed Mix #1) includes non-native species and is recommended because its associated plant species are highly adapted to this site (heavy clay soils) and offer the greatest opportunity to establish vegetation cover. Limiting factors for successful reclamation of the site includes soils with a high clay content, low annual precipitation, drought prone, and cheatgrass establishment on the adjacent rangelands. These mitigated non-native species have demonstrated themselves to have the greatest ability to establish, provide soil protection, and offer a competitive interaction against invasive, non-native species such as cheatgrass.

There is an opportunity for other noxious weed species to be transported onto landscapes associated with the proposed action by construction and/or support equipment.

Environmental Consequences of the No Action Alternative: None

Mitigation: The applicant shall monitor the disturbed areas for the presence of invasive, non-native, and/or noxious plant species that have become established as a result of the proposed action. The applicant will be responsible for controlling cheatgrass, noxious weeds, and/or invasive weeds should they occur and/or increase in density as a result of the proposed action.

Upon detection of noxious, undesirable non-native, and/or invasive plant species, the applicant will control their presence before seed production using materials and methods as outlined in the RMP and/or authorized in advance by the White River Field Office Manager. Application of herbicides must be under field supervision of an EPA certified pesticide applicator. Herbicides must be registered by the EPA and application proposals must be approved by the BLM.

MIGRATORY BIRDS

Affected Environment: The project area is encompassed by arid salt desert shrublands dominated by Wyoming big sagebrush, and to a lesser extent, mat and Gardner saltbush and shadscale. These salt desert communities typically support species of higher conservation such as Brewer's sparrow in addition to vesper and sage sparrow, western meadowlark, sage thrasher and horned lark.

Environmental Consequences of the Proposed Action: The proposed action involves the upgrade of an existing two-track. It is unlikely the project will have any negative impacts on the nesting functions of migratory birds as those areas adjacent to existing corridors typically assume greater vehicle activity which strongly reduces the utility of roadside habitats for nesting. The small acreage of new disturbance involved (<1 ac) would have no measurable influence on affected populations of migratory birds at any landscape scale.

Environmental Consequences of the No Action Alternative: The no-action alternative would have no conceivable influence on breeding functions of migratory birds.

Mitigation: None

THREATENED, ENDANGERED, AND SENSITIVE ANIMAL SPECIES (includes a finding on Standard 4)

Affected Environment: There are no threatened, endangered or sensitive animal species that are known to inhabit or derive important use from the project area.

Environmental Consequences of the Proposed Action: The proposed action would have no influence on special status animal species.

Environmental Consequences of the No Action Alternative: The no-action alternative would have no influence on special status animal species.

Mitigation: None

Finding on the Public Land Health Standard for Threatened & Endangered species: The proposed action would have no conceivable influence on populations or habitats associated with federally listed animals and would, therefore, have no potential to influence the status or application of applicable land health standards.

THREATENED, ENDANGERED, AND SENSITIVE PLANT SPECIES (includes a finding on Standard 4)

Affected Environment: There are no threatened, endangered or sensitive plant species that are known to inhabit or derive important use from the project area.

Environmental Consequences of the Proposed Action: The proposed action would have no influence on special status plant species.

Environmental Consequences of the No Action Alternative: The no-action alternative would have no influence on special status plant species.

Mitigation: None

Finding on the Public Land Health Standard for Threatened & Endangered species: There is no reasonable likelihood that the proposed action or no action alternative would have an influence on the condition or function of Threatened, Endangered, or Sensitive plant species. Thus, there would be no effect on achieving the land health standard.

WASTES, HAZARDOUS OR SOLID

Affected Environment: Fuels, oils, and lubricants will be used during construction of the road, and solid waste (human waste, garbage, etc.) will be generated during construction activities. There are no known hazardous or other solid wastes along the project route. No hazardous wastes will be generated by construction of the road.

Environmental Consequences of the Proposed Action: Accidental spills or leaks associated with equipment failures, refueling or maintenance of equipment, and storage of fuel, oil, or other fluids could cause soil, surface water and/or groundwater contamination. With implementation of the mitigation measures described below, impacts would be low and temporary.

Environmental Consequences of the No Action Alternative: None.

Mitigation: Hazardous materials will be used, stored, transported and/or disposed of in accordance with applicable federal and state laws. Construction areas will be maintained in a sanitary condition at all times and waste will be collected and disposed of at an appropriate waste disposal site.

WATER QUALITY, SURFACE AND GROUND (includes a finding on Standard 5)

Affected Environment: Surface Water: The proposed action is situated entirely within the White River near Rangely, CO fifth field watershed. Sixth and seventh field watersheds affected by the proposed action are the White River (36.55 acres), and Chase Draw (16.98 acres) catchment areas. Chase Draw is a tributary to the White River. The White River is a tributary to the Green River which is a tributary to the Colorado River. Only one stream crossing is present along the existing access road. This crossing is located in Chase Draw and is of native material.

The "Status of Water Quality in Colorado – 2004" plus the 2006 update (CDPHE, 2006b) were reviewed for information related to the proposed actions. The proposed project area is located entirely within stream segments 12, 13a, and 21 of the White River basin. Stream segments 12 and 21 have not been designated use-protected. An intermediate level of water quality protection applies to waters that have not been designated outstanding waters or use-protected waters. For these waters, no degradation is allowed unless deemed appropriate following an antidegradation review. The state has classified segments 12 and 21 as being beneficial for the following uses: Warm aquatic life 1, Recreation 1a, water supply and Agriculture.

The State has classified stream segment 13a as "Use Protected". The antidegredation review requirements in the Antidegredation Rule are not applicable to waters designated use-protected. For those waters, only the protection specified in each reach will apply. Stream segment 13a has been further designated by the state as being beneficial for the following uses: Warm Aquatic Life 2, Recreation 1b, and Agriculture. For stream segment 13a, minimum standards for four parameters have been listed. These parameters are: dissolved oxygen = 5.0 mg/l, pH = 6.5 - 9.0, Fecal Coliform = 325/100 ml, and 205/100 ml E. coli. (CDPHE, 2006b).

Newly promulgated Colorado Regulations Nos. 93 and 94 (CDPHE, 2006c and 2006d, respectively) were also reviewed for information related to the proposed project area drainages. Regulation No. 93 is the State's list of water-quality-limited segments requiring Total Maximum Daily Loads (TMDLs). The 2006 list of segments needing development of TMDLs includes two segments within the White River - segment 9b, White River tributaries North & South Forks to Piceance Creek, specifically the Flag Creek portion (for impairment from selenium with a low priority for TMDL development) and segment 22, tributaries to the White River, Douglas Creek to the Colorado/Utah boarder, specifically West Evacuation Creek, and Douglas Creek (sediment impairments). Regulation 94 is the State's list of water bodies identified for monitoring and evaluation, to assess water quality and determine if a need for TMDLs exists. The list includes two White River segments that are potentially impaired – 9 and 22. No impacts to any 303(d) or M&E listed streams will occur as a result of the proposed actions.

Ground Water: A review of the US Geological Survey Ground Water Atlas of the United States (Topper et al., 2003) was done to assess ground water resources at the location of the proposed actions. Information presented in Topper et al. (2003) indicates the extent of the Mesaverde aquifer encompasses the area north of Rangely, CO. Affected surface geology along the proposed access road is Modern Alluvium (Quaternary), and the Cretaceous aged Mancos shale. The Modern Alluvium consists of the Piney Creek Alluvium and younger deposits (Tweto, 1979). The Mancos Shale (confining unit) has an approximate thickness of 7,000'feet. This unit is comprised primarily of shale however within the unit, the Frontier Sandstone may occur as a local aquifer which is of poor water quality (Topper et al., 2003).

Environmental Consequences of the Proposed Action: Surface Water: Further use of the existing access road and "improvement" of the two-track will increased soil exposure to erosional processes. Heavy equipment use will destroy any existing vegetation and increase compaction. Increased compaction combined with reduced vegetation will further decrease infiltration rates and elevate erosive potential due to runoff (overland flows) and raindrop impact during storm events. The low water creek crossing and associated approach located in Chase

Draw may become a significant point source of sediment and salt loading. As traffic associated with oil and gas development on private surfaces is elevated, rutting may development along the roadway confining surface water runoff to the roadway and elevating erosive potential. In addition, improper road maintenance/design (inadequate drainage relief structures) combined with the high alkalinity of the affected soils could lead to soil piping increasing sedimentation and salt loads directly to the White River.

Ground Water: Given the moderate to rapid runoff potential for the affected soils, leaks or spills of environmentally unfriendly substances are likely to be rapidly transported down gradient as runoff and deposited in the low lying alluvial flood plain of the White River. Deposition of environmentally unfriendly substances on or near the White River alluvium increases potential for contamination of the White River Alluvial aquifer (Modern Alluvium) which is the primary fresh water source for the town of Rangely, CO.

Environmental Consequences of the No Action Alternative: None

Mitigation: The operator will be responsible for complying with all local, state, and federal water quality regulations (such as but not limited to Phase I Storm Water Permit, and Section 404 permits). The operator will also be required to provide the BLM with documentation that all required permits were obtained.

Surface Water: All surface disturbing activities will strictly adhere to "Gold Book" fourth edition surface operating standards for oil and gas exploration and development (copies of the "Gold Book" fourth edition can be obtained at the WRFO). Oil and gas development activities require a stormwater discharge permit from the Colorado Department of Public Health and Environment, Water Quality Control Division, for construction associated with well pads, pipelines, *roads* and other facilities. As a condition of the permit, a Stormwater Management Plan (SWMP) would be developed showing how Best Management Practices (BMPs) are to be used to control runoff and sediment transport. The applicant is required to have a copy of the SWMP on file with the Meeker Field Office and to implement the BMPs in that plan as on-site conditions warrant.

The White River Record of Decision and Approved Resource Management Plan (July, 1997) includes a list of standard Conditions of Approval to be applied to All Surface Disturbing Activities (COAs 1-12) and to Road Construction and Maintenance (COAs 13-62). The applicant is required to be familiar with those standard COAs and to implement them as on-site conditions warrant.

Ground Water: Avoid the creek crossing during periods of high flows to minimize the potential for contaminants to be directly discharged into surface waters/alluvial material.

Finding on the Public Land Health Standard for water quality: Stream segment 12, 13a, and 21 of the White River Basin are currently listed as meeting water quality standards set by the state. Following suggested mitigation measures, water quality in the affected stream segment should continue to meet standards.

WETLANDS AND RIPARIAN ZONES (includes a finding on Standard 2)

Affected Environment: There are no wetlands or riparian habitats potentially influenced by the proposed action.

Environmental Consequences of the Proposed Action: The proposed action would have no conceivable influence on wetlands or riparian habitat.

Environmental Consequences of the No Action Alternative: The no-action alternative would have no conceivable influence on wetlands or riparian habitats.

Mitigation: None

Finding on the Public Land Health Standard for riparian systems: This project would have no conceivable influence on wetland or riparian conditions addressed in the Standards.

CRITICAL ELEMENTS NOT PRESENT OR NOT AFFECTED:

No flood plains, prime and unique farmlands, Wilderness, or Wild and Scenic Rivers exist within the area affected by the proposed action. There are also no Native American religious or environmental justice concerns associated with the proposed action.

NON-CRITICAL ELEMENTS

The following elements **must** be addressed due to the involvement of Standards for Public Land Health:

SOILS (includes a finding on Standard 1)

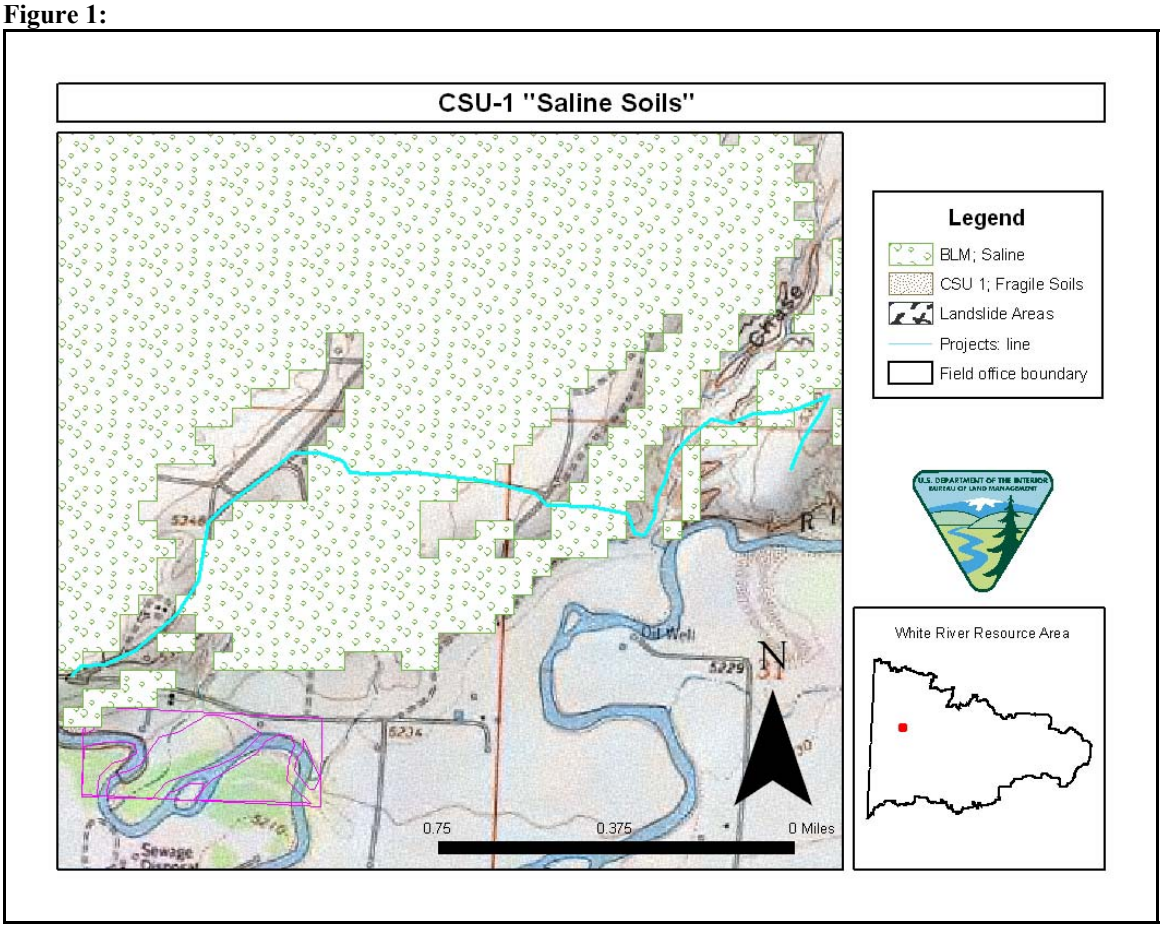
Affected Environment: The following data is a product of an order III soil survey conducted by the Natural Resources Conservation Service (NRCS) in Rio Blanco County, CO. The following table highlights important soil characteristics. A complete summary of this information can be found at the White River Field Office.

Soil Number	Soil Name	Affected Acres (w/in 30 meters)	Slope	Ecological site	Salinity	Run Off	Erosion Potential	Bedrock
5	Badland	4.55	50-100%	None	-	Very rapid	Very high	0-10
8	Billings-Torrifluvents complex gullied	8.48	0-5%	Alkaline Slopes/None	2-8	Rapid	High	>60
16	Chipeta silty clay loam	9.3	3-25%	Clayey Saltdesert	4-16	Rapid	High	10-20

17	Chipeta silty clay loam eroded	2.09		Clayey Saltdesert	4-16	Rapid	Very high	10-20
21	Cliffdown-Cliffdown Variant complex	5.16	5-65%	Saltdesert Breaks	<2	Medium to slow	Slight to moderate	>60
46	Kinnear fine landy loam	23.86	1-5%	Loamy Saltdesert	<4	Medium	Slight	>60

Given a 30 meter buffer, 20.43 acres (38% of all affected acreage) of control surface use (CSU-1) "saline soils" will be impacted by surface disturbing activities. All new surface disturbing activities impacting CSU-1 "saline soils" generally require the operator to submit an engineered construction/reclamation plan, which must be approved by the Area Manager (BLM, 1997). The following map (figure 1) shows the extent of CSU-1 "saline soils" that will be encountered along portions of the existing access road. Approximately the first ~46 meters (~0.03 miles) of the proposed "improved" access road will also encounter CSU-1 "saline soils". Figure 1 fails to illustrate this due to a GPS mapping error associated with placement of the new proposed access road. Due to the limited amount of disturbance that will impact CSU-1 "saline soils", improvements to the existing two-track access will NOT require an engineered construction/reclamation plan approved by the Area Manager.

Figure 1:



5-Badland (10-65 percent slopes) is situated on rolling to very steep, nearly barren mountainsides, low hills, ridgetops, and canyonsides. The native vegetation is mainly very sparse low desert shrubs and grasses. Elevation is 5,200 to 7,300 feet. The average annual precipitation is 8 to 18 inches, the average annual air temperature is 40 to 50 degrees F, and the average frost-free period is 75 to 130 days. Badland is very shallow and exhibits no significant soil characteristics. The soil material consists of residuum *gypsiferous* shale and bentonite. Permeability of Badland is very slow. Available water capacity is very slow. Effective rooting depth is 0 to 10 inches. Runoff is very rapid, and the hazard of water erosion is very high, which results in a large amount of sedimentation during rainstorms and when snow melts.

8-Billings-Torrifluvents complex gullied (0 to 5 percent slopes) is located on flood plains, low terraces, and narrow valley floors. The native vegetation is mainly desert shrubs and sparse grasses. Elevation is 5,100 to 5,600 feet. The average annual precipitation is 7 to 9 inches, the average annual air temperature is 47 to 49 degrees F, and the average frost-free period is 105 to 135 days. This unit is 55 percent Billings silty clay loam that has slopes of 0 to 5 percent and 35 percent Torrifluvents that have slopes of 0 to 5 percent. The Billings soil is deep and well drained. It formed in *calcareous* mixed alluvium derived dominantly from shale. Typically, the upper part of the surface layer is light gray silty clay loam about 2 inches thick. The underlying material to a depth of 60 inches or more is gypsiferous silty clay loam. Permeability of the Billings soil is slow. Available water capacity is high. Effective rooting depth is 60 inches or more. Runoff is rapid, and the hazard of water erosion is high.

Torrifluvents consist of highly stratified and gullied alluvium. The surface layer ranges from gravelly sandy loam to silty clay. The underlying material ranges from loam to silty clay loam. Gullies and headcuts are 1 foot to 25 feet deep and 3 to 75 feet wide. These soils are slightly saline to strongly saline. *Gypsum crystals* are common throughout the profile. Runoff is rapid, and the hazard of water erosion is very high.

16-Chipeta silty clay loam (3 to 25 percent slopes) is a shallow, well drained soil found on low, rolling hills and on toe slopes. It formed in residuum derived from *calcareous, gypsiferous* shale. The native vegetation is mainly salt-tolerant shrubs and grasses. Elevation is 5,100 to 5,800 feet. The average annual precipitation is 7 to 9 inches, the average annual air temperature is 46 to 50 degrees F, and the average frost-free period is 105 to 135 days. Typically, the surface layer is light brownish gray silty clay loam about 3 inches thick. The next layer is light olive gray silty clay about 6 inches thick. The underlying material is light olive gray silty clay that has fine shale chips and seams of crystalline gypsum and is about 9 inches thick. Shale is at a depth of 18 inches. Depth to shale ranges from 10 to 20 inches. Permeability of this Chipeta soil is slow. Available water capacity is low. Effective rooting depth is 10 to 20 inches. Runoff is rapid, and the hazard of water erosion is high.

17-Chipeta silty clay loam (3 to 25 percent slopes) is a shallow, well drained soil situated on low, rolling hills and on toe slopes. It formed in residuum derived from *calcareous, gypsiferous* shale. The native vegetation is mainly sparse stands of salt-tolerant desert shrubs and grasses. Elevation is 5,100 to 5,800 feet. The average annual precipitation is 7 to 9 inches, the average annual air temperature is 46 to 50 degrees F, and the average frost-free period is 105 to 135 days.

Typically, the surface layer is light brownish gray silty clay loam 2 inches thick. The underlying material is light brownish gray silty clay that has fine chips of shale and seams of crystalline gypsum and is about 10 inches thick. Shale is at a depth of 12 inches. Depth to shale ranges from 10 to 20 inches. Permeability of this eroded Chipeta soil is slow. Available water capacity is very low. Effective rooting depth is 7 to 20 inches. Runoff is rapid, and the hazard of water erosion is very high.

21-Cliffdown-Cliffdown Variant complex (5 to 65 percent slopes) is found on terraced side slopes. The native vegetation is mainly low shrubs and grasses. Elevation is 5,100 to 5,800 feet. The average annual precipitation is 7 to 9 inches, the average annual air temperature is 47 to 49 degrees F, and the average frost-free period is 105 to 135 days. The Cliffdown soil is deep and somewhat excessively drained. It formed in *calcareous* alluvium. Typically, the surface layer is pale brown gravelly loam 5 inches thick. The underlying material to a depth of 60 inches or more is mainly light gray, calcareous very gravelly sandy loam that has thin strata of very gravelly loamy sand. Permeability of the Cliffdown soil is moderately rapid. Available water capacity is very low. Effective rooting depth is 60 inches or more. Runoff is medium to slow, and the hazard of water erosion is slight to moderate.

The Cliffdown Variant soil is moderately deep and well drained. If formed in *calcareous*, gravelly and cobbly alluvium derived from mixed sources. Typically, the surface layer is pale brown very cobbly loam 7 inches thick. The next 6 inches is brown, calcareous very gravelly loam 11 inches thick. Weathered shale is at a depth of 24 inches. Depth to shale ranges from 20 to 40 inches. Permeability of the Cliffdown Variant soil is moderately slow. Available water capacity is very low. Effective rooting depth is 10 to 20 inches. Runoff is rapid, and the hazard of water erosion is moderate to high.

46-Kinnear fine sandy loam (1 to 5 percent slopes) is a deep, well drained soil found on fans and upland terraces. It formed in *calcareous* alluvial and eolian material. The native vegetation is mainly low shrubs and grasses. Elevation is 5,200 to 5,800 feet. The average annual precipitation is 8 to 11 inches, the average annual air temperature is 47 to 50 degrees F, and the average frost-free period is 105 to 130 days. Typically, the surface layer is pale brown fine sandy loam 5 inches thick. The subsoil is pale brown loam 12 inches thick. The upper 18 inches of the substratum is very pale brown, highly calcareous loam, and the lower part to a depth of 60 inches or more is pale brown loam. In some areas the surface layer is very fine sandy loam, loam, or silt loam. The soil is calcareous throughout. Permeability of this Kinnear soil is moderate. Available water capacity is high. Effective rooting depth is 60 inches or more. Runoff is medium, and the hazard of water erosion is slight. The hazard of soil blowing is moderate if the surface is disturbed and is not protected.

Environmental Consequences of the Proposed Action: Clearing of vegetation for construction activities will leave soils exposed to erosional processes. Soils will exhibit lower infiltration and permeability rates after construction which will elevate erosive potential. Given the soil composition (calcareous), improper drainage relief from access roads could lead to soil piping and large salt deposits which will hinder revegetation efforts. Any leaks or spills of environmentally unfriendly substances (e.g. diesel fuel) could contaminate soils also hindering revegetation efforts.

Environmental Consequences of the No Action Alternative: None

Mitigation: Compliance with "Gold Book" fourth edition surface operating standards for all "improvements" to the existing access road which is identified in the proposed action (copies of the "Gold Book" fourth edition can be obtained at the WRFO) will be mandatory. In the event that the existing access identified in the proposed action as "not needing improvements" will require maintenance/improvements, an engineered construction/reclamation plan must be submitted by the operator and approved by the Area Manager prior to any surface disturbing activities (BLM, 1997). "Improvements" to the existing two-track will not require an engineered construction/reclamation because only limited surface disturbance will occur on CSU-1 "saline soils" and with implementation of suggested mitigation (roads designed to "Gold Book" standards, and gravel surfacing) potential for adverse impacts can be mitigated.

Complete reclamation will follow termination of the authorizing grant. The operator will be responsible for reclamation in which the access road will be recontoured and 100% of disturbed surfaces will be revegetated with the suggested seed mixture as outlined in the vegetation section of this document. Given the salt concentration of the impacted soils, the operator will be responsible for monitoring salts leaching from soils. If large salt deposits begin to appear, the operator will notify BLM, together they will coordinate the application of best management practices to help mitigate the problem.

Finding on the Public Land Health Standard for upland soils: The area encompassing the proposed action is largely dominated by a cheatgrass vegetative understory. The shallow rooting structure of cheatgrass has significantly reduced infiltration and permeability rates and can lead to increased hill slope soil erosion. This area currently does not meet soil health standards and those standards will continue to not be met with implementation of the proposed action.

VEGETATION (includes a finding on Standard 3)

Affected Environment: The disturbance associated with the proposed action is located within a Loamy Saltdesert ecological site, which is a treeless site. Native vegetation within this site is dominated by Wyoming big sagebrush (*Artemisia tridentate*), gardner saltbrush (*Atriplex gardneri*), shadscale (*Atriplex confertifolia)*, and various rabbitbrushes (*Chrysothamnus spp.)*. The understory of these shrubs primarily consists of western wheatgrass (*Agropyron smithii*), galleta (Hilaria jamesii), salina wildrye (*Elymus salinus*), sandberg bluegrass (*poa secunda*), and bottlebrush squirreltail (*Sitanion hystrix*). Cheatgrass (*Bromus tectorum*) and halogeton (*Halogeton glomeratus*) are undesirable, invasive, and alien plant species that are present within the locality of the proposed action.

Environmental Consequences of the Proposed Action: The proposed action would disturb a mid to low seral class of saltdesert shrub community for a total of 0.62 BLM acres considered a long-term vegetation loss. This disturbance will likely increase undesirable, invasive plants species such as cheatgrass along the proposed access road.

Previously this area has entailed considerable impacts from oil and gas activities from a network of well pads, powerlines, pipeline corridors, and access roads; which have resulted in a fragmentation and reduction of available/productive ecological sites.

Environmental Consequences of the No Action Alternative: None

Mitigation: Upon abandonment of the access road, promptly re-vegetate all disturbed areas (prior to the first growing season following the disturbance), including all cut and fill slopes and topsoil stockpiles, with Standard Seed Mix #1 of the White River Resource Area Resource Management Plan (RMP), B-19, Appendix B (see table below). Seeding rates in the RMP are shown as pounds of Pure Live Seed (PLS) per acre and apply to drill seeding. When drill seeding is not feasible (i.e. steep slopes), then broadcast seed using double the seeding rate and then harrow to insure seed coverage. Applied seed must be certified and free of noxious weeds.

Standard Seed Mix #	Species (Variety)	Lbs PLS/Acre
1	Siberian wheatgrass (P27)	3
	Russian wildrye (Bozoisky)	2
	Crested wheatgrass (Hycrest)	3

The applicant shall be required to achieve a reclamation success rate of sufficient vegetative ground cover from reclamation plant species within three growing seasons. The ground cover of reclaimed seed species shall be comparable to that of the nearby undisturbed plant communities at a Potential Natural Community (PNC) state in relation to the seed mix as deemed appropriate by the BLM.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial)*:* The proposed action would disturb a mid to low seral segment of the Loamy Saltdesert ecological site. Therefore, the action would further fragment this landscape into isolated and disconnected parcels.

Early seral ecological sites associated with the proposed action lack desirable plant species at an appreciable density and frequency level, thus they are not meeting standards. This is largely due to the prevalence of cheatgrass within the vegetative understory. Mid seral ecological sites at the proposed action have acceptable components within the plant community and are meeting standards for public land health.

WILDLIFE, AQUATIC (includes a finding on Standard 3)

Affected Environment: There are no aquatic habitats conceivably affected by this action.

Environmental Consequences of the Proposed Action: None

Environmental Consequences of the No Action Alternative: None

Mitigation: None

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation and Wildlife, Terrestrial): This project would have no conceivable influence on aquatic habitat conditions addressed in the Standards.

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

Affected Environment: The project area is categorized by the Colorado Division of Wildlife as general winter range for mule deer. These areas typically sustain big game use from September through April.

A number of raptors forage opportunistically during the winter throughout the area, the most common being rough-legged hawks, red-tailed hawks, and golden eagle. The project area and the surrounding area provide no special or unique habitat features (e.g., nesting substrate) or forage base for these birds.

Non-game wildlife using this area are typical and widely distributed in extensive like-habitats across the Resource Area and northwest Colorado; there are no narrowly endemic or highly specialized species known to inhabit those lands potentially influenced by this action.

Environmental Consequences of the Proposed Action: Work is scheduled to take place during the summer months and would be completed prior to big game occupation of these winter ranges. The small acreage of new disturbance involved (<1 ac) would have no measurable influence on affected big game or non-game mammals and birds at any landscape scale.

Environmental Consequences of the No Action Alternative: The no-action alternative would have no conceivable influence on terrestrial wildlife or associated habitats.

Mitigation: None

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation and Wildlife, Aquatic): The project area meets the public land health standards for terrestrial animal communities. The proposed action and no-action alternatives would have no short-term or long-term influence on the utility or function of big game, raptor, or nongame habitats in the project vicinity.

OTHER NON-CRITICAL ELEMENTS: For the following elements, only those brought forward for analysis will be addressed further.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Access and Transportation		X	
Cadastral Survey	X		
Fire Management	X		

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Forest Management	X		
Geology and Minerals	X		
Hydrology/Water Rights	X		
Law Enforcement		X	
Noise	X		
Paleontology			X
Rangeland Management			X
Realty Authorizations			X
Recreation		X	
Socio-Economics		X	
Visual Resources		X	
Wild Horses	X		

PALEONTOLOGY

Affected Environment: The proposed new road segment is located in an are generally mapped as the Mancos Shale (Tweto 1979) which the BLM has classified as a Condition II formation meaning its fossil potential is mostly confined to marine invertebrates though on extremely rare occasions vertebrates have been reported.

Environmental Consequences of the Proposed Action: There is a very limited potential to impact scientifically important fossil resources

Environmental Consequences of the No Action Alternative: There would be no new impacts to fossil resources under the No Action Alternative.

Mitigation: 1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing paleontological sites, or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear to be of noteworthy scientific interest
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not feasible)

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

RANGELAND MANAGEMENT

Affected Environment: The proposed action is located in the Coal Oil Basin portion of the Raven Park allotment (06314), which is authorized for sheep use by Morapos Sheep Company. Grazing use by sheep in the allotment can be authorized from November 20 through April 6.

Soils within the project area associated with disturbance are principally a Kinnear fine sandy loam, 1-5% slopes (Loamy Saltdesert ecological site), which are found on upland terraces. Native vegetation is dominated by a salt tolerant desert shrub and grass community. These brush/grass communities are utilized by sheep for meeting forage requirements, particularly during winter months. Soils in Coal Oil Basin typically have a high clay content that are moderate to highly erosive and receives low precipitation with rapid runoff, thus limiting forage production and hampering re-vegetation efforts.

Drought conditions, except spring of 2005, have been very prevalent within the Coal Oil Basin area, which has hindered successful establishment of reclaimed plant species of other related disturbances in this area. Therefore, undesirable and invasive annual plant species (i.e. halogeton, cheatgrass) have become dominate in a portion of these disturbed areas which provide little forage and/or resource value.

Environmental Consequences of the Proposed Action: The individual proposed action would have minimal impacts on the authorized grazing use because the amount of new surface disturbance (0.62 BLM acres) is nominal in regards to the scale of the allotment (17,896 BLM acres). The 0.62 BLM acres of disturbance is considered long-term as it is associated with an access road.

Previously the Coal Oil Basin portion of the Raven Park allotment has entailed considerable impacts from oil and gas activities, which have resulted in a reduction and fragmentation of available rangelands and in a loss of forage for grazing use.

As this area has a component of cheatgrass and halogeton (undesirable, non-native, and annual plant species) within the plant community, the proposed action will slightly increase the ground cover of undesirable plant species that invade disturbed sites along the proposed access road. Thus, the proposal will minimally decrease available forage.

If the proposed action was authorized during the grazing period, it would have some impacts while sheep are grazing. This is in part due to the increased activity associated after the development of the proposed action and decrease in rangelands available for grazing. Also, BLM grazing permit holders have experienced injury and losses of livestock due to heavy truck travel. Other impacts to livestock grazing may include such influences as a modification in sheep distribution, reduction in available forage, injury/loss to livestock, and impediments to livestock grazing and movement.

Overall, this individual proposed action would have no significant direct impact on the authorized Animal Unit Months (AUMs) in the allotments. However, the cumulative impacts

from past, present, and possible future oil and gas activities may have a long-term effect on the native rangeland's carrying capacity, thus influencing authorized AUMs. This possible affect would be determined during the grazing permit renewal process which includes an evaluation of forage capacity available for livestock. It is foreseeable that the grazing permit holder could loose a portion of permitted active AUMs due to a loss of forage and fragmentation of the rangelands associated with oil and gas development within the authorized BLM grazing allotment.

Environmental Consequences of the No Action Alternative: None

Mitigation: Any livestock control facilities and/or rangeland improvements impacted during this operation will be replaced or repaired to their prior condition or better.

REALTY AUTHORIZATIONS

Affected Environment: The proposed route will be the same as COC 59934, Ace West Trucking, for the portion that leaves RBC Rd 46 until it reaches the turnoff in T.2N., R.101W., Section 30. The remainder of the proposed route follows an existing 2-track that does not have any current authorization. An access road, COC54945, Samson Resources, is partially located along the same route. There are multiple Moon Lake power lines (COC50007) which cross the road way, and a portion of the road along RBC Rd 46 and north into Chase Draw is part of the signed Rangely Bike Trail. The route skirts a small (5 acres) section of private land.

Environmental Consequences of the Proposed Action: The project will require a right-of-way from where it leaves RBC 46 to the boundary of the private property. Authorization will be by amendment to Rio Mesa's existing road grant COC54895 which expires December 31, 2023. Maintenance work and safety will require cooperation between Rio Mesa and the other right-of-way holders.

Environmental Consequences of the No Action Alternative: The access would not be authorized and no right-of-way action would be required.

Mitigation: Use of the right-of-way must not interfere with existing rights.

CUMULATIVE IMPACTS SUMMARY: The proposed action is to provide access through public lands to allow energy development on adjacent private lands. The direct cumulative impacts of this activity are addressed in the White River ROD/RMP for each resource value that would be affected by the proposed action. In addition, indirect cumulative impacts from oil and gas development were analyzed in the White River Resource Area PRMP/FEIS. Current development, including the related action proposed in this EA, has not exceeded the foreseeable development analyzed in the PRMP/FEIS.

REFERENCES CITED:

Colorado Department of Public Health and Environment (CDPHE) Air Pollution Control Division (APCD), 2005. "Colorado Air Quality Data Report – 2004," September 2005.

Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Commission (WQCC), 2004a. Regulation No. 37 Classifications and Numeric Standards for Lower Colorado River Basin. Adopted 1983 and Effective January 20, 2004.

CDPHE-WQCC, 2004b. "Status of Water Quality in Colorado – 2004, The Update to the 2002 305(b) Report," April.

CDPHE-WQCC, 2004c. "Regulation No. 93, 2004 Section 303(d) List Water-Quality-Limited Segments Requiring TMDLs," effective May 31.

CDPHE-WQCC, 2004d. "Regulation No. 94, Colorado's Monitoring and Evaluation List," effective May 31.

Conner, Carl E. and Barbara Davenport
2006 Class III Cultural Resource Inventory Report for the Proposed RMR Government #10-3 Well Location and a Short Linear Route in Rio Blanco County, Colorado, for Rio Mesa Resources, Inc. Grand River Institute, Grand Junction, Colorado.

Topper, R., K.L. Spray, W.H. Bellis, J.L. Hamilton, and P.E. Barkmann. 2003. Groundwater Atlas of Colorado, Special Publication 53. Prepared for State of Colorado Department of Natural Resources, Division of Minerals and Geology. Colorado Geological Survey. Denver, Colorado.

Tweto, Ogden
1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

USDI Bureau of Land Management, Colorado. 1997. White River Record of Decision and Approved Resource Management Plan (ROD/RMP), Meeker, Colorado.

PERSONS / AGENCIES CONSULTED: none

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility
Nate Dieterich	Hydrologist	Air Quality
Tamara Meagley	Natural Resource Specialist	Areas of Critical Environmental Concern
Tamara Meagley	Natural Resource Specialist	Threatened and Endangered Plant Species
Michael Selle	Archeologist	Cultural Resources Paleontological Resources
Jed Carling	Rangeland Management Specialist	Invasive, Non-Native Species
Lisa Belmonte	Wildlife Biologist	Migratory Birds
Lisa Belmonte	Wildlife Biologist	Threatened, Endangered and Sensitive Animal Species, Wildlife
Melissa J. Kindall	Hazmat Collateral	Wastes, Hazardous or Solid
Nate Dieterich	Hydrologist	Water Quality, Surface and Ground Hydrology and Water Rights
Lisa Belmonte	Wildlife Biologist	Wetlands and Riparian Zones
Chris Ham	Outdoor Recreation Planner	Wilderness
Nate Dieterich	Hydrologist	Soils
Jed Carling	Rangeland Management Specialist	Vegetation
Lisa Belmonte	Wildlife Biologist	Wildlife Terrestrial and Aquatic
Chris Ham	Outdoor Recreation Planner	Access and Transportation
Ken Holsinger	Natural Resource Specialist	Fire Management
Robert Fowler	Forester	Forest Management
Paul Daggett	Mining Engineer	Geology and Minerals
Jed Carling	Rangeland Management Specialist	Rangeland Management
Linda Jones	Realty Specialist	Realty Authorizations
Chris Ham	Outdoor Recreation Planner	Recreation
Keith Whitaker	Natural Resource Specialist	Visual Resources
Melissa J. Kindall	Range Technician	Wild Horses

Finding of No Significant Impact/Decision Record (FONSI/DR)

CO-110-2006-090-EA

FINDING OF NO SIGNIFICANT IMPACT (FONSI)/RATIONALE: The environmental assessment and analyzing the environmental effects of the proposed action have been reviewed. The approved mitigation measures (listed below) result in a Finding of No Significant Impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

DECISION/RATIONALE: It is my decision to authorize a total of 10,948 feet of access road, including currently authorized roads plus 900 feet of newly improved access, to reach private lands, with the following mitigation:

MITIGATION MEASURES:

1. The operator will be responsible for complying with all local, state, and federal air quality regulations as well as providing documentation to the BLM that they have done so. To minimize production of fugitive particulate matter, vehicle speeds must not exceed 15 mph *or* dust plume must not be visible at appropriate designated speeds for road design. In addition, the application of a BLM approved dust suppressant (e.g. water or chemical stabilization methods) will be required during dry periods when dust plumes are visible at speeds less than or equal to 15 mph.

2. All construction or routine maintenance activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the Authorized Officer.

3. The operator shall not 'mud blade' the road and shall remove berms from the outside edge of road where runoff is channeled. Maintenance and all improvements to the existing access road which is identified in the proposed action shall comply with Gold Book standards and will require an engineered construction/reclamation plan to be submitted by the operator and approved by the Area Manager prior to any surface disturbing activities (BLM, 1997). Improvements to the existing two-track will not require an engineered construction/reclamation.

4. Hazardous materials will be used, stored, transported and/or disposed of in accordance with applicable federal and state laws. Construction areas will be maintained in a sanitary condition at all times and waste will be collected and disposed of at an appropriate waste disposal site.

5. The operator will be responsible for complying with all local, state, and federal water quality regulations (such as but not limited to Phase I Storm Water Permit, and Section 404 permits).

The operator will also be required to provide the BLM with documentation that all required permits were obtained.

6. The creek crossing shall be avoided during periods of high flows to minimize the potential for contaminants to be directly discharged into surface waters/alluvial material.

7. The operator will be responsible for monitoring salts leaching from soils. Because of the salt concentration of the impacted soils, if large salt deposits begin to appear, the operator will notify BLM, together they will coordinate the application of best management practices to help mitigate the problem.

8. The operator shall promptly re-vegetate all disturbed areas prior to the first growing season following the disturbance and immediately after abandonment, including all cut and fill slopes and topsoil stockpiles, with Standard Seed Mix #1 of the White River Resource Area Resource Management Plan (RMP), B-19, Appendix B (see table below).

Seeding rates in the RMP are shown as pounds of Pure Live Seed (PLS) per acre and apply to drill seeding. When drill seeding is not feasible (i.e. steep slopes), then broadcast seed using double the seeding rate and then harrow to insure seed coverage. Applied seed must be certified and free of noxious weeds.

Standard Seed Mix #	Species (Variety)	Lbs PLS/Acre
1	Siberian wheatgrass (P27)	3
	Russian wildrye (Bozoisky)	2
	Crested wheatgrass (Hycrest)	3

The holder shall be required to achieve a reclamation success rate of sufficient vegetative ground cover from reclamation plant species within three growing seasons. The ground cover of reclaimed seed species shall be comparable to that of the nearby undisturbed plant communities at a Potential Natural Community (PNC) state in relation to the seed mix as deemed appropriate by the BLM.

9. The applicant shall monitor the disturbed areas for the presence of invasive, non-native, and/or noxious plant species that have become established as a result of the proposed action. The applicant will be responsible for controlling cheatgrass, noxious weeds, and/or invasive weeds should they occur and/or increase in density as a result of the proposed action.

10. Upon detection of noxious, undesirable non-native, and/or invasive plant species, the holder will control their presence before seed production using materials and methods as outlined in the RMP and/or authorized in advance by the White River Field Office Manager. Application of herbicides must be under field supervision of an EPA certified pesticide applicator. Herbicides must be registered by the EPA and application proposals must be approved by the BLM.

11. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or

archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

12. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing **paleontological sites,** or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear to be of noteworthy scientific interest
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not feasible).

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

13. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

14. Any livestock control facilities and/or rangeland improvements impacted during this operation will be replaced or repaired to their prior condition or better.

15. Use of the right-of-way shall not interfere with existing rights.

COMPLIANCE/MONITORING: Compliance monitoring shall be performed at five year intervals by White River Field Office staff.

NAME OF PREPARER: Linda Jones

NAME OF ENVIRONMENTAL COORDINATOR: Caroline Hollowed

SIGNATURE OF AUTHORIZED OFFICIAL: _____
Field Manager

DATE SIGNED: 5/31/06

ATTACHMENTS: General Location Map of the Proposed Action.

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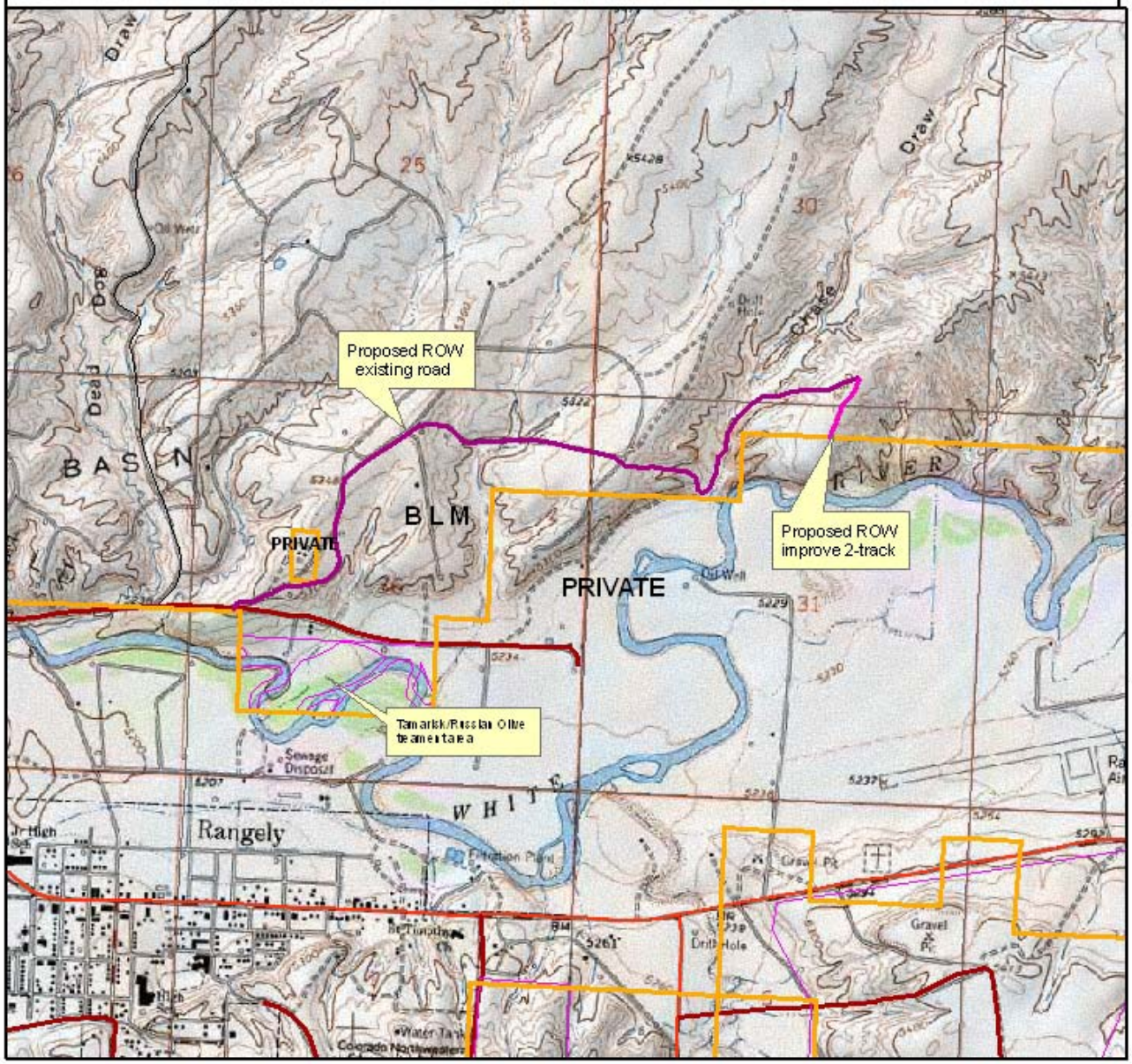
RIO MESA ACCESS ROAD
COC 54895 CO-110-06-090-EA

EXHIBIT A

05/21/2006



- Sections
- **Major roads**
- **RD_CODE**
  - Highway
  - County
  - NPS
  - Forest service
  - BLM
- Projects: point
- Projects: polygon
- BLM
- CDW
- FOR
- NPS
- PRI
- STA

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SCALE 1:24,000

T.2N. R.101W. sec. 30, 31
T.2N. R.102W. sec. 36